

AMENDED IN ASSEMBLY AUGUST 25, 2009

AMENDED IN ASSEMBLY AUGUST 17, 2009

AMENDED IN ASSEMBLY MAY 27, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

Assembly Joint Resolution

No. 15

**Introduced by Assembly Members De Leon, Ammiano, and
John A. Perez**

**(Coauthors: Assembly Members Block, Blumenfield, Fuentes, Jones,
Ma, Monning, Portantino, and Skinner)**
(Coauthors: Senators Kehoe and Pavley)

April 20, 2009

Assembly Joint Resolution No. 15—Relative to the Uniting American Families Act.

LEGISLATIVE COUNSEL'S DIGEST

AJR 15, as amended, De Leon. Uniting American Families Act.

This measure would urge the Congress of the United States to include the Reuniting Families Act and the Uniting American Families Act in comprehensive immigration reform or to pass, and President Obama to sign, the Uniting American Families Act as stand-alone legislation and support the removal of legal barriers to immigration by permanent same-sex partners.

Fiscal committee: no.

- 1 WHEREAS, Every ~~American~~ *person in the United States* is
- 2 entitled to equal protection under the law; and
- 3 WHEREAS, The principle of family unification is an
- 4 unassailable characteristic of our immigration system under which

1 legal permanent residents and United States citizens should be
2 able to sponsor their loved ones for immigration status; and

3 WHEREAS, Federal law does not currently recognize permanent
4 same-sex partners as family members for immigration purposes,
5 including same-sex partners that are married or recognized as
6 married in various states; and

7 WHEREAS, This results in thousands of United States citizens
8 being forced into exile to be with foreign born partners, causing
9 unnecessary hardship, separation from family members and careers,
10 and loss of valuable skills and resources for our country; and

11 WHEREAS, The Uniting American Families Act (H.R. 1024/S.
12 424) has been introduced in Congress by New York Representative
13 Jerrold Nadler and Vermont Senator Patrick Leahy with 115
14 cosponsors in the United States House of Representatives and 20
15 cosponsors in the United States Senate to amend the Immigration
16 and Nationality Act and allow United States citizens and legal
17 permanent residents to sponsor same-sex partners for immigration,
18 and California Representative Mike Honda has introduced the
19 Reuniting Families Act (H.R. 2709), a broad family immigration
20 bill which will overcome many barriers to family reunification in
21 current immigration law and includes the Uniting American
22 Families Act; and

23 WHEREAS, The Uniting American Families Act defines
24 “permanent partner” as an individual 18 years of age or older who
25 is in a committed, intimate relationship with another individual
26 18 years of age or older in which both parties intend a lifelong
27 commitment; is financially interdependent with that other
28 individual; is not married to or in a permanent partnership with
29 anyone other than that other individual; is unable to contract with
30 that other individual a marriage cognizable under the Immigration
31 and Nationality Act; and is not a first-, second-, or third-degree
32 blood relation of that other individual; and

33 WHEREAS, Although there are a relatively low number of
34 binational same-sex partners, they are severely harmed by
35 discrimination and a lack of protection under current immigration
36 law; and

37 WHEREAS, Data compiled over two decades documents that
38 there has not been a single case of fraud perpetrated by a person
39 or partnership in any domestic partners benefit plan in the United
40 States since those benefit plans began in 1982; and

1 WHEREAS, The United States is behind other democracies in
2 extending fair treatment in immigration policies to same-sex
3 partners, and the Uniting American Families Act of 2009 would
4 bring United States immigration law in line with ~~16~~ 19 other
5 countries that currently recognize same-sex partnerships for
6 immigration purposes: Australia, Belgium, Brazil, Canada,
7 Denmark, Finland, France, Germany, Iceland, Israel, the
8 Netherlands, New Zealand, Norway, Portugal, South Africa, *Spain*,
9 *Switzerland*, Sweden, and the United Kingdom; and

10 WHEREAS, The Uniting American Families Act is an
11 appropriate next step towards establishing equality in immigration
12 standards for same-sex partners; now, therefore, be it

13 *Resolved by the Assembly and the Senate of the State of*
14 *California, jointly*, That the Legislature and the State of California
15 urge the United States Congress to include the Reuniting Families
16 Act and the Uniting American Families Act in comprehensive
17 immigration reform or to pass, and President Barack Obama to
18 sign, the Uniting American Families Act as stand-alone legislation
19 at the earliest possible date and support the removal of legal
20 barriers to immigration by permanent same-sex partners; and be
21 it further

22 *Resolved*, That the Chief Clerk of the Assembly transmit copies
23 of this resolution to the President and Vice President of the United
24 States, to the Speaker of the House of Representatives, and to each
25 Senator and Representative from California in the Congress of the
26 United States.